

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

DAVAYON JERRELL SAUNDERS,

Plaintiff,

v.

DAVID BELL,

Defendant.

Civil Action No. 7:21cv00095

MEMORANDUM OPINION

By: Hon. Thomas T. Cullen
United States District Judge

Plaintiff Davayon Jerrell Saunders, a former inmate proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. After filing the action, Saunders advised the court that he had been released from incarceration. (*See* ECF No. 77.) By order entered October 4, 2022, the court advised Saunders that, because he was no longer an inmate, he would not be allowed to pay the filing fee in installments under the Prison Litigation Reform Act. (*See* ECF No. 78.) The court ordered Saunders to pay the balance of the filing fee or otherwise respond to the order within 10 days. (*Id.*) The court warned Saunders that failure to pay the filing fee or otherwise respond to the order would result in immediate dismissal of the action without prejudice. (*Id.*) Saunders did not respond to the court's order. Accordingly, the court will dismiss this action without prejudice for failure to comply with the court's order.

ENTERED this 18th day of October, 2022.

/s/ Thomas T. Cullen

HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE